

itself, or with the assistance of the information technology department, shall also make the report or newsletter accessible to the public through the internet as provided in subsection 2 and through other electronic means.

Sec. 64. 2001 Iowa Acts, chapter 189, is amended by adding the following new section:

NEW SECTION. SEC. 11A. Section 304.13A, subsection 2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

A copy of all required agency reports or newsletters maintained pursuant to subsection 1 shall be located at an internet site maintained by the information technology department in consultation with the state librarian, and all required such reports or newsletters shall be placed on electronic media. The state librarian shall provide for the distribution of such copies to a public library in this state requesting such copy.

Sec. 65. EFFECTIVE DATES — RETROACTIVE APPLICABILITY.

1. The section of this Act amending section 257.14, subsection 1, as amended by 2001 Iowa Acts, chapter 126, section 9, takes effect upon enactment and is retroactively applicable to May 9, 2001.

2. The section of this Act amending 2001 Iowa Acts, chapter 153, section 16, 2001 Iowa Acts, chapter 183, section 20, and 2001 Iowa Acts, chapter 189, section 11, and amending 2001 Iowa Acts, chapter 189, by adding a new section take effect upon enactment and are retroactively applicable on and after July 1, 2001.

Approved April 1, 2002

CHAPTER 1051

JAILS AND LOCAL OR REGIONAL CONFINEMENT FACILITIES — SPACE AND NEEDS INVENTORY

S.F. 2278

AN ACT relating to analyzing the confinement and detention needs of jails, and other local or regional confinement facilities, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 356.36A CONFINEMENT AND DETENTION REPORT — DESIGN PROPOSALS.

The division of criminal and juvenile justice planning of the department of human rights, in consultation with the department of corrections, the Iowa county attorneys association, the Iowa state sheriff's association, the Iowa association of chiefs of police and peace officers, a statewide organization representing rural property taxpayers, the Iowa league of cities, and the Iowa board of supervisors association, shall prepare a report analyzing the confinement and detention needs of jails and facilities established pursuant to chapter¹ 356A. The report for each type of jail or facility shall include but is not limited to an inventory of prisoner space, daily prisoner counts, options for detention of prisoners with mental illness or substance abuse service needs, and the compliance status under section 356.36 for each jail or facility. The report shall contain an inventory of recent jail or facility construction projects in which voters have approved the issuance of general obligation bonds, essential county purpose bonds, revenue bonds, or bonds issued pursuant to chapter 422B. The report shall be revised periodically

¹ See chapter 1175, §83 herein

as directed by the administrator of the division of criminal and juvenile justice planning. The first submission of the report shall include recommendations on offender data needed to estimate jail space needs in the next two, three, and five years, on a county, geographic region, and statewide basis, which may be based upon information submitted pursuant to section 356.49.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 1, 2002

CHAPTER 1052

TEMPORARY OR ACTING COUNTY ATTORNEYS

S.F. 2288

AN ACT relating to the appointment of an acting or a temporary county attorney.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 331.754, Code 2001, is amended to read as follows:

331.754 ABSENCE OR DISQUALIFICATION OF COUNTY ATTORNEY AND ASSISTANTS.

1. In case of absence, sickness, or disability of the county attorney and the assistant county attorneys, the board of supervisors may appoint an attorney to act as county attorney. Upon application of the county attorney or the attorney general, the chief judge or the chief judge's designee may appoint an attorney to act temporarily as county attorney until the board has had sufficient time to appoint an acting county attorney. As an alternative, upon the application of the county attorney or the attorney general, the chief judge or the chief judge's designee may appoint the attorney general to temporarily act as county attorney if the attorney general consents to the appointment. The acting county attorney has the same authority and is subject to the same responsibilities as a county attorney.

2. If the county attorney and all assistant county attorneys are disqualified because of a conflict of interest from performing duties and conducting official business in a juvenile, criminal, contempt, or commitment proceeding which requires the attention of the county attorney, the chief judge or the chief judge's designee, upon application by the county attorney or the attorney general certifying that there is a bona fide reason for the disqualification based upon a principal of law or court rule, may appoint an attorney to act as county attorney in the proceeding. As an alternative, upon application of the county attorney or attorney general certifying that there is a bona fide reason for the disqualification, the chief judge or the chief judge's designee may appoint the attorney general to act as county attorney in the proceeding if the attorney general consents to the appointment. If the attorney general does not consent to the appointment, the chief judge or the chief judge's designee may appoint an attorney designated by the attorney general.